

**MINUTES  
BUILDING BOARD OF APPEALS  
October 18, 2018 @ 2:00pm  
City Commission Chambers**

**CALL TO ORDER**

Chair Emig called the meeting to order at 2:00 p.m.

**ROLL CALL OF BOARD MEMBERS**

**Members Present:** Richard Emig, Chair, Gary Wark, Linda Servis, Emily Parfet, Lyndia Bruckbauer

**Members Absent:** Chuck Kiplinger, David Hyde

**City Staff:** Robert McNutt, Building Official; Karleen Steppenwolf, Recording Secretary; Justun Munn, Building Inspector

**NEW BUSINESS**

**APPROVAL OF PREVIOUS MINUTES**

Ms. Parfet, seconded by Ms. Servis moved to approve the minutes of August 16, 2018 as submitted, approved by voice call vote.

**APPROVAL OF AGENDA**

Ms. Servis, seconded by Mr. Emig moved to approve the agenda as submitted.

Motion approved by roll call unanimously.

**INITIAL HEARINGS**

The following properties are presented to the board for a public hearing:

**702 Mills St**

This property is located in a Manufacturing, Limited District (Use Zone M-1) in the Edison neighborhood. The 22' x 198.5' & 50.50' x 45' (0.180 acre) property contains a 1,462 sq. ft. 2 story shop mixed with residential building built in 1915. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

Ms. Lucille Eckert was present to represent this property. Ms. Eckert stated that she sold the property to Mark Kelley over a year ago.

Mr. McNutt stated that a quit claim deed was recorded on 10/9/2017, but he is not sure why it doesn't show in the Cities records. Ms. Eckert received all the notices; is why she is here today. Contact was made by phone with Mark Kelley, but he couldn't attend due to an illness. Mr. McNutt asked if Ms. Eckert thought Mr. Kelley was receiving the notices and Ms. Eckert didn't think he was.

Mr. McNutt asked the board to hold this property until Mr. Kelley could receive the notices and information pertaining to the board's decision.

Ms. Eckert asked Mr. McNutt about the procedures for demolition. Mr. McNutt explained the procedure and stated that Mr. Kelley would receive the same time frame to respond to the notices. Mr. McNutt wants something in writing with a time frame from Mr. Kelley. Mr. McNutt stated that the house has been sitting for a while now and has some issues and has been written up several times.

Structural and exterior repairs for the building are estimated to cost approximately: \$45,000. Estimated costs for demolition are approximately \$15,000. The 2018 SEV is \$9,200. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$12,421 and that of the entire property \$18,526.

There were no comments from the public.  
Chair Emig closed the public hearing.

**This property has been pulled from the October 2018 agenda.**

### **1001 Trimble Ave**

This property is located in a Residential Single Dwelling District (Use Zone RS-5) in the Eastside neighborhood. The 66' x 132' (0.200 acre) property contains a 950 sq. ft. 2 story residential building built in 1890. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that he has spoken to the property owner's sister. The property owner no longer lives at the property and is in assisted living. The property owner has signed a document that the sister has not shared with Mr. McNutt that states that friends and family cannot take anything out of the house, per the document. The sister stated that the last time she was there, which was 5 years ago, that the property is full and her brother is a person who likes to collect stuff. She stated that with the document that her brother signed no one can get in there to clean the stuff out. Mr. McNutt asked for a copy of that letter, but has not received it. Mr. McNutt stated that the conversation took place about 2 ½ weeks ago. Public Safety already has a do not enter notice on this property because of the amount of debris in the house.

Structural and exterior repairs for the building are estimated to cost approximately: \$47,000. Estimated costs for demolition are approximately \$15,000. The 2018 SEV is \$14,500. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$9,249 and that of the entire property \$27,900.

There were no comments from the public.  
Chair Emig closed the public hearing.

## **FINDING OF FACT**

### **Ms. Parfet moved the Finding of Fact as follows:**

1. The Finding of Fact for 1001 Trimble Ave shall include all information included in the notice of public hearing dated September 17, 2018 and the summary information.

### **Mr. Wark seconded the Finding of Fact.**

Motion approved for the Finding of Fact by voice vote unanimously.

### **Mr. Wark moved to approve the application, to accept the Staff Recommendations as stated, seconded by Ms. Servis.**

Motion approved by roll vote unanimously.

### **531 Lulu St**

This property is located in a Residential Single Dwelling District (Use Zone RS-5) in the Northside neighborhood. The 50'x115' (0.132 acre) property contains a 714 sq. ft. 1 story residential building built in 1870. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that there was a permit pulled for a new roof on 10/5/2018. The permit shows the owner as Willie Hoskins, but the applicant Bernard Wogoman pulled the permit. Mr. Wogoman is aware of the notices and has spoken with Marvella Vincent, Code Compliance Inspector. Mr. McNutt stated this property has a long list of violations starting in 2016.

There is a quit claim deed to Bernard Wogoman, but the notices went to Willie Hoskins because that is who the City has as owner and taxpayer.

Mr. Emig is concerned about all parties being informed and would like this property pulled until the property owner (Bernard Wogoman) can be notified. Mr. McNutt stated he is willing to pull the property until both parties are properly notified.

Structural and exterior repairs for the building are estimated to cost approximately: \$26,000. Estimated costs for demolition are approximately \$10,000. The 2018 SEV is \$11,100. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$7,514 and that of the entire property \$22,910.

There were no comments from the public.  
Chair Emig closed the public hearing.

**This property has been pulled from the October 2018 agenda.**

**308 Norway Ave**

This property is located in a Residential Multi Dwelling District (Use Zone RM-36) in the Northside neighborhood. The 30'x 66' (0.045 acre) property contains a 1,041 sq. ft. 2 story residential building built in 1895. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that Justun Munn, Building Inspector, and he were at the property about 10 months ago and the property was in very bad shape. The property was written up right there that no one was allowed in the property due to foundation failure. Several years ago the chimney fell off and damaged the neighbor's house and that is why there is a big open hole in the house. The owner at that time would not do anything to make the repairs.

This property is located in a Residential Multi Dwelling District (Use Zone RM-36) in the Northside neighborhood. The 30'x 66' (0.045 acre) property contains a 1,041 sq. ft. 2 story residential building built in 1895. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

There are no comments from the public.  
Chair Emig closed the public hearing.

**FINDING OF FACT**

**Ms. Servis moved the Finding of Fact as follows:**

1. The Finding of Fact for 308 Norway Ave shall include all information included in the notice of public hearing dated September 17, 2018 and the summary information.

**Mr. Wark seconded the Finding of Fact.**

Motion approved for the Finding of Fact by voice vote unanimously.

**Mr. Wark moved to approve the application, to accept the Staff Recommendations as stated, seconded by Ms. Servis.**

Motion approved by roll vote unanimously.

**613 Mabel St**

This property is located in a Residential Single Dwelling District (Use Zone RS-5) in the Northside neighborhood. The 33'x 132' (0.100 acre) property contains a 1,232 sq. ft. 2 story residential building built in 1900. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

This property had a fire approximately 6/29/2018.

Mr. Emig asked if the US Bank National Association has been notified. Mr. McNutt stated that they were sent four notices and we have not received a response.

Ms. Parfet commented on the Sheriff's deed being recorded in 2018 and thought there was an amount of time that needed to pass to clear the redemption time. Mr. Emig stated he would like the City's Attorney's opinion on this before the demolition takes place.

Structural and exterior repairs for the building are estimated to cost approximately: not recommended for repair. Estimated costs for demolition are approximately \$16,000. The 2018 SEV is \$14,900. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$6,540 and that of the entire property \$30,725.

There are no comments from the public.  
Chair Emig closed the public hearing.

**FINDING OF FACT****Mr. Wark moved the Finding of Fact as follows:**

1. The Finding of Fact for 613 Mabel St shall include all information included in the notice of public hearing September 17, 2018 and the summary information.

**Ms. Bruckbauer seconded the Finding of Fact.**

Motion approved for the Finding of Fact by voice vote unanimously.

**Ms. Parfet moved to approve the application, to accept the Staff Recommendations with the stipulation that the City Attorney approves the redemption period has expired on the Sheriff's Deed, seconded by Ms. Servis.**

Motion approved by roll vote unanimously.

**ANNOUNCEMENTS**

**821 Clarence St**

Mr. Munn stated that a snow fence has been put up, but is not secure and there is another vehicle parked on the property. The building is still dangerous and nothing has been done other than they boarded the windows. There was a timeline in place for this property and the timelines have not been met. There was a permit issued 9/13/18, which was a month later, the porch has not been removed, there is nothing in writing from them regarding the steps they are going to take and the owners have failed to take appropriate action as detailed in the August 16, 2018 minutes.

**Mr. Wark moved to approve moving forward with the demolition due to the fact the timeline was not followed, seconded by Ms. Servis.**

**Motion approved by roll call vote unanimously.**

**ADJOURNMENT**

Ms. Servis moved to adjourn the meeting and was seconded by Ms. Bruckbauer.

With a unanimous vote the meeting was adjourned at 2:47pm.

Submitted by: Karleen Steppenwolf Date 11/17/19  
BBA Recording Secretary  
Karleen Steppenwolf

Reviewed by: [Signature] Date 10/31/18  
Building Official  
Robert McNutt

Approved by: [Signature] Date 1/17/19  
BBA Chair  
Richard Emig